

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

## DUBLIN DIVISION

ORLANDO JEFFERSON,

Plaintiff,

V.

WARDEN DOUG WILLIAMS,

Defendant.

CV 323-081

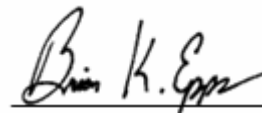
## MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff, incarcerated at Wheeler Correctional Facility in Alamo, Georgia, commenced the above-captioned case *pro se* in the Northern District of Georgia. (Doc. no. 1.) Because Plaintiff's complaint raised issues concerning his conditions of confinement in the Southern District of Georgia, United States Magistrate Judge Russell G. Vineyard transferred the case to this District. (See doc. no. 4.) On October 20, 2023, the Court conditionally granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), subject to returning a Prisoner Trust Fund Account Statement and Consent to Collection of Fees form within thirty days. (See doc. nos. 8, 10.) In that same October 20th Order, the Court advised Plaintiff all prisoners, even those proceeding IFP, must pay the filing fee of \$350.00 in full. 28 U.S.C. § 1915(b)(1). (See doc. no. 10, pp. 1-3.) The Court also directed Plaintiff to submit an amended complaint on the standard complaint form used by incarcerated litigants in the Southern District of Georgia. (Id. at 4-6.) Plaintiff was cautioned failure to respond would be an election to have this case voluntarily dismissed without prejudice. (See id. at 7.)

The time to respond has passed, and although Plaintiff submitted an amended complaint, (doc. no. 14), he has not submitted the IFP documents required by the Court's October 20th Order. Nor has he provided the Court with any explanation why he has not complied with the requirements for proceeding IFP.

Plaintiff cannot proceed IFP unless he submits the requisite Trust Fund Account Statement and consents to collection of the entire \$350.00 filing fee in installments. Wilson v. Sargent, 313 F.3d 1315, 1319, 1321 (11th Cir. 2002) (citing 28 U.S.C. § 1915). Plaintiff has been warned that failing to return the necessary IFP papers would be an election to have his case voluntarily dismissed. (See doc. no. 10, p. 7.) As Plaintiff has neither fulfilled the requirements for proceeding IFP, nor paid the full filing fee, the Court **REPORTS** and **RECOMMENDS** this case be **DISMISSED** without prejudice and this civil action be **CLOSED**.

SO REPORTED and RECOMMENDED this 30th day of November, 2023, at Augusta, Georgia.



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BRIAN K. EPPS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA